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SUBJECT: BISTF PLENARY FOCUSES ON COUNTERINTELLIGENCE AND
BROADER GOJ PARTICIPATION

REF: A. 07 TOKYO 3690
[1](#)B. 07 TOKYO 4801

Classified By: Ambassador J. Thomas Schieffer, Reasons: 1.4 (b/d)

SUMMARY

[1](#)1. (S) The January 16 plenary meeting of the DAS-level U.S.-Japan Bilateral Information Security Task Force (BISTF) and preparatory Director-level meetings focused on the status of long-term milestones from the annex to the BISTF Terms of Reference (TOR) and broader Japanese government participation beyond the six ministries and agencies represented at the plenary. The U.S. delegation gave briefings on a number of counterintelligence topics, including counterintelligence threats from China and Russia. The Japanese delegation briefed on its perceptions of counterintelligence threats and Japan's export control regime. The two sides approved the final joint report on the status of the near-term milestones from the TOR annex and agreed to convene the next plenary mid-April in Washington. END SUMMARY.

[1](#)2. (C) On January 16, U.S. and Japanese officials convened the third plenary meeting of the Bilateral Information Security Task Force (BISTF). DASD for East Asia David Sedney, State EAP/J Director James Zumwalt, and Embassy DNI Representative co-chaired the U.S. side. MOFA North American Affairs Bureau Deputy Director General Koji Haneda, Ministry of Defense (MOD) Defense Policy Bureau Deputy Director General Ryutaro Matsumoto, and Cabinet Intelligence and Research Office (CIRO) Counselor Shinichi Kisaka were the Japanese co-chairs. Director-level and Deputy Director-level officials from the Cabinet Secretariat, the National Police Agency (NPA), the Public Security Intelligence Agency (PSIA), the Ministry of Economy, Trade, and Industry (METI), and the Ministry of Finance (MOF) also participated. (NOTE: The Japanese side barred METI and MOF officials' attendance outside their designated briefing sessions described in paragraph 5.)

CI BRIEFS, RUSSIAN DEFECTOR

¶3. (S) The plenary opened with counterintelligence briefings from both sides. Deputy National Intelligence Officer for East Asia Lonnie Henley presented a general assessment of foreign intelligence threats to U.S. and Japanese security interests, including an overview of Asia-specific threats to Japan from both foreign government intelligence services and non-state actors. Office of the National Counterintelligence Executive (NCIX) Deputy Director Marion Bowman briefed on effective counterintelligence policy and the role of NCIX in U.S. counterintelligence practices. Bowman specifically pointed out the need for coordinated, government-wide counterintelligence efforts. The U.S. side also invited Russian defector Sergei Tretyakov to brief on his activities as a former KGB/SVR officer, including his work against Japanese targets.

¶4. (S) CIRO Research Officer Toshikatsu Naoe presented the Japanese government's assessment of counterintelligence threats, specific cases, and countermeasures, focusing specifically on the activities of China, Russia and North Korea. Naoe also discussed the Japanese government-wide standard for counterintelligence policy and the establishment of a National Counterintelligence Center, both to be launched on April 1. The Japanese government also expects to begin protection and control measures for a new government-wide classification called "specially controlled secrets" in April ¶2009. Referring to press reports from the morning of the plenary of a CIRO official being questioned on suspicion of passing classified information to Russian intelligence, Naoe pointed out that the official's activities would not have been discovered without improved counterintelligence awareness and infrastructure in the Japanese government.

METI BRIEFING SUGGESTS WEAKNESSES

¶5. (C) Representatives from METI and MOF briefed on Japan's export control regime, including the legal framework, the procedures for granting export licenses, the flow of information from relevant Japanese ministries and foreign governments to METI, and METI's practices for protecting classified information. MOF Customs and Tariff Bureau Investigation and Intelligence Division Director Takaaki Kanrei stated that MOF does not receive raw information from the United States or any other foreign government directly, but instead acts on alerts issued by METI of restricted export items. METI Security Intelligence Office Director Akira Yamazaki explained that METI does not have any specific in-house regulations for controlling classified information beyond limiting access to offices that handle classified information only to those with a need to know. Responsible officials store the documents or materials in lockers with keys. The ministry vets all cases in which information needs to be shared and seeks prior approval from the provider of the information. METI does not, however, provide training on handling classified information or set specific criteria for granting access to classified information, Yamazaki said.

FINAL REPORT ON NEAR-TERM MILESTONES ACCEPTED

¶6. (C) Following the briefings, representatives of the two Working Groups and three Action Groups under the Tokyo-based BISTF Implementation Group presented their respective status reports on a number of issues, including information briefings and tasks. The reports included several initial recommendations for improved security posture on the Japanese side. The U.S. and Japanese co-chairs welcomed the reports. The Implementation Group then presented the final report on the status of the near-term milestones from the annex to the BISTF Terms of Reference (ref A), which the co-chairs accepted without revision. All near-term milestones are complete except one, which is the final approval of the

Comprehensive Aegis Security Plan, pending review and comment from the Japanese side.

WORK REMAINING ON MID-TERM, LONG-TERM MILESTONES

¶17. (C) Both sides agreed to all the mid-term milestones from the Terms of Reference except one, which calls for a separate, senior-level counterintelligence briefing from relevant Japanese government policy and intelligence offices. As the Japanese side did not share the U.S. view that the briefing should be done at the Director General-level, the co-chairs have tasked the Implementation Group to settle the issue after the plenary. DASD Sedney stressed that the Implementation Group needs to ensure that tasks and processes described in near-term and mid-term milestones that begin with tentative wording, such as "initiate process" or "begin to," would not end up as mere initiation but reach full completion. The co-chairs also agreed that the Implementation Group should continue to refine the wordings for the long-term milestones.

NEED GOJ-WIDE REFORMS, INCLUDING LEGISLATIVE ONES

¶18. (C) Referring to the Implementation Group's months-long debate on the definition of BISTF "participants," DASD Sedney stressed that the U.S. Government expected the results of the BISTF process to apply to all Japanese government agencies that handles bilaterally shared classified information, not just the six agencies represented at the plenary. Visionary aspects of the long-term milestones should not be sacrificed for quick, easy fixes. While interim milestones that compel

action only from the six BISTF representatives from the Japanese side might be acceptable, both sides need to continue to work toward improvements in Japanese government-wide information security practices and infrastructure, including a strong legal foundation for protecting classified information. This, Sedney underscored, necessitated broader participation by Japanese government agencies not represented at the plenary, including the Ministry of Justice. CIRO's Kisaka responded that the Japanese side understood the importance of coordinating legal procedures on information sharing, but needed more details from the U.S. side. Sedney recommended that such discussion be referred to the Embassy's Legal Attache and the Ministry of Justice.

BISTF CLASSIFICATION REMAINS DIFFICULT ISSUE

¶19. (C) The Japanese side continued to resist U.S. suggestions to lower the classification level for the existence of BISTF to "Sensitive But Unclassified (SBU)" or "For Official Use Only (FOUO)." CIRO's Kisaka proposed that the Japanese government continue to treat BISTF as confidential, but mark all documents provided to the United

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States as FOUO, on condition that the U.S. side does not publicly disclose the existence of BISTF. DASD Sedney responded that the U.S. Government's ability to do so may be limited by the Freedom of Information Act, noting that the U.S. Congress has been briefed already on BISTF. NCIX Deputy Director Bowman added that the U.S. Government will, however, protect Japanese documents appropriately if the Japanese government requests -- per established procedures -- the U.S. Government to protect its information in confidence.

SCHIEFFER